

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FLINTKOTE COMPANY, et al.,

Plaintiffs,

v.

AVIVA PLC, et al.,

Defendants.

Case No. [15-cv-01638-SI](#)

**SECOND ORDER ON BOND AMOUNT  
AND ORDER GRANTING AVIVA'S  
MOTION TO SEAL**

Re: Dkt. Nos. 157, 162

Pursuant to the Court's Order of May 9, 2016 (Dkt. No. 161), counsel for plaintiffs The Flintkote Company and The Flintkote Trust ("plaintiffs") and defendants Aviva PLC, Aviva International Insurance, Ltd., and Ocean Marine Insurance Company Limited ("defendants") (collectively, the "parties"), met and conferred regarding the amount of prejudgment interest that should be added to the bond to be posted by defendants. The parties have stipulated that \$942,000 (USD) in prejudgment interest in connection with the \$1.5 million (USD) bond ordered by the Court is appropriate. *See* Dkt. No. 162. The Court commends the parties on their diligence in reaching compromise and hereby **ORDERS** that defendants post a total bond amount of \$2.442 million (USD) with all deliberate haste. Defendants must timely notify the Court of the posting of the bond.

Defendants filed an administrative motion to seal portions of their statement regarding the appropriate bond amount. Dkt No. 157. Because the portions sought to be sealed reference documents this Court has previously ordered sealed, and because certain insurers who are arbitrating their coverage disputes with plaintiffs in a related arbitration are not parties to this case, the Court, for the present time, **GRANTS** this motion. *See id.* at 2; Dkt. No. 156 n.4 (recognizing that the Court may request further briefing on whether and to what extent the parallel trial and

1 appellate arbitral should remain under seal).

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3 **IT IS SO ORDERED.**

4 Dated: May 16, 2016



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SUSAN ILLSTON  
United States District Judge